

PATENT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jeffrey A. Hubbell et al. Art Unit: 1651
Serial No.: 09/496,231 Examiner: A. J. Kosar
Filed: February 1, 2000 Customer No.: 21559
Confirmation No.: 5903
Title: BIOMATERIALS FORMED BY NUCLEOPHILIC ADDITION
REACTION TO CONJUGATED UNSATURATED GROUPS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. §§ 1.321 and 3.73(b)

Pursuant to 37 C.F.R. § 1.321(b), Eidgenossische Technische Hochschule Zurich and Universitat Zurich, the assignees of the entire right, title, and interest in the above-captioned application, seek to disclaim the terminal portion of the term of the patent to be granted on the application. This terminal disclaimer is binding on the grantee and its successors or assigns.

Pursuant to 37 C.F.R. § 1.321(b)(1), this terminal disclaimer is signed by an attorney of record.

Pursuant to 37 C.F.R. § 1.321(b)(2), Eidgenossische Technische Hochschule Zurich and Universitat Zurich hereby waive and disclaim the terminal portion of the term of the entire patent to be granted upon the application subsequent to the expiration date of

U.S. Patent No. 7,291,673. Eidgenossische Technische Hochschule Zurich and Universitat Zurich do not disclaim any terminal part of any patent granted on the application prior to the expiration date of the full statutory term of U.S. Patent No. 7,291,673 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above.

Pursuant to 37 C.F.R. § 1.321(b)(3) and § 3.73(b), the undersigned attorney/agent of record certifies that Eidgenossische Technische Hochschule Zurich and Universitat Zurich, both universities, are the assignees of the entire right, title, and interest in the application by virtue of:

An assignment from the inventors of the application. The assignment was recorded in the Patent and Trademark Office at Reel/Frame 012535/0749 on January 31, 2002.

Pursuant to 37 C.F.R. § 1.321(b)(4), enclosed is the fee set forth in 37 C.F.R. § 1.20(d).

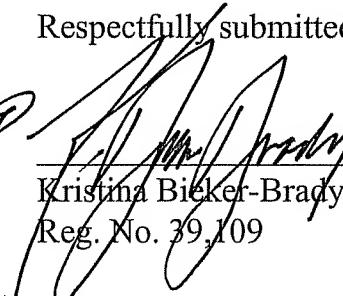
Further, pursuant to 37 C.F.R. § 1.321(c)(3), this terminal disclaimer is being filed to overcome a double patenting rejection in the application. Any patent granted on the application or any resulting patent subject to reexamination proceedings shall be

enforceable only for and during such period that the patent is commonly owned with the application or patent that formed the basis for the rejection.

If there are any additional charges or any credits, please apply them to Deposit Account Number 03-2095.

Respectfully submitted,

Date: September 23, 2008


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